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A moral law for the jungle: a Kantian exploration in corporate environmental ethics

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Sack, Fabian P. D., A moral law for the jungle: a Kantian exploration in corporate environmental ethics, PhD thesis, School of English Literatures, Philosophy and Languages, University of Wollongong, 2005.
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A Moral Law for the Jungle:

A Kantian Exploration in Corporate Environmental Ethics

A thesis submitted in fulfilment of the requirements for the award of the degree

Doctor of Philosophy

From

University of Wollongong Philosophy Program

By

Fabian P. D. Sack Ba(Hons)

August 2005

Certification

I, Fabian P. D. Sack, declare this thesis, submitted in fulfilment of the requirements for the award of Doctor of Philosophy, in the Philosophy Program, University of Wollongong, is wholly my own work unless otherwise referenced or acknowledged. The document has not been submitted for qualifications at any other academic institution.

Fabian P. D. Sack

1 August 2005

Abstract

Almost global acknowledgement of environmental crisis and social inequity suggest a secular revision of Kantian moral philosophy embracing sustainability. By eschewing subjective preferences as the foundation of morality Kant avoids an aspect of corporate responsibility that has otherwise proved intractable. Corporations, as artificial and disembodied agents, cannot depend on desires or intuitions to guide their actions. Kant's moral theory avoids subjective preferences that arbitrarily exclude our environments, communities or future generations from moral relevance and corporations from moral responsibility.

Kant says: "Let no one think that here the trivial '*quod tibi no vis fieri, etc.*' [Don't do unto others what you don't want done to yourself] can serve as a standard or principle."¹ The problem with this golden rule, which the empirical tradition takes as the central statement of ethics, is that it bases morality on shared preferences. In the process the golden rule excludes our environments from moral consideration and corporations from the scope of moral accountability: Neither corporate nor environmental preferences are commensurate with those of humans. In place of this biblical injunction Kant offers a law whose effect Kantians have characterised by the adage "*What if everyone did that?*" Kant's moral law uses the proscriptive universalization implicit in moral language and practice to make efficacy the basis of morality. Strictly, the only practical conclusion that Kant's argument leads to is that agents' moral action is defined by the universalizability of their maxims and reciprocally, that universalizability is defined by agents' ability to choose actions.

Used as a test of right actions, Kant's moral law is very sensitive to the way in which proposed actions that provide it content are described. Contrary to recent interpretation, Kant's maxims are not teleological descriptions; they functionally describe those aspects of an action that are intended to serve interests. Act descriptions put to the test that fail to capture the relevant intention proclaim "*Do as I say, not as I do*" and are

¹ Kant (G), 4:430

not maxims. Moral appraisal of any sort implies a procedural sanction against self-deception that avoids false moral judgements: Honesty effectively corrects for bias in describing maxims, allowing immoral proposed actions to be proscribed. Kant notes that “the proposition, *“Honesty is the best policy”* is beyond all refutation, and is the indispensable condition of all policy”.²

By introducing glosses on the kinds of actions humans propose to the moral law Kant’s theory guides corporate action towards sustainability. Kant argues that the idea of reason shared by humanity at any time is the core of political theory and ethics. Kant’s anthropology means that the limits of moral consideration remain open: By asking “*How would it look to others?*” maxims consider all interests (including non-human interests) and the process of universalization ensures that consideration extends both forwards and backwards in time. Imposing this moral law on corporations can be justified on pragmatic grounds, it is sensitive to environmental, historical and cultural contexts as well as the implications for future generations: Corporate “*Virtue is its own reward*”. As a moral proscription test the moral law self-corrects through honesty and improved understanding. As we get to know more about the impact of corporate actions on other species or ecologies, on the future and on other cultures the process of universalization adjusts providing a self-correcting definition of what makes corporate actions unsustainable: *A moral law for the jungle*.

² Kant (PP), 8:370

Acknowledgements

This thesis has been achieved because of the unflagging supervision of Associate Professor Robert Dunn and Dr. John Burgess at the University of Wollongong Philosophy Program and the study assistance policy of the Sydney Water Corporation. I would like to thank Dr. Simon Longstaff and Richard Batten for their apposite comments. More than anything, I would like to acknowledge the indefatigable support of my family who have had to forego many outings in favour of my studies and endure the inevitable periods of distraction that accompany doctoral research.

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